

REMARKS**1. Status of Application**

This application is a division of application Ser. No. 09/908,414 filed July 18, 2001, now U.S. Patent No. 6,602,452, issued August 5, 2003.

This application includes claims 1, 2, 4, 21, 40-42, 44-46 and 48-50. Claims 39, 43 and 48 were rejected under 35 U.S.C. 112, as failing to comply with the written description requirement. Claims 1, 2, 4 and 40-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 in view of any one of Payne (US Patent 5,316,701), Pitavy (US Patent 4,764,322), Lemelson (US Patent 4,285,903), or Manchak (US Patent 5,156,818). Claims 21 and 44-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 in view of any one of Payne (US Patent 5,316,701), Pitavy (US Patent 4,764,322), Lemelson (US Patent 4,285,903), or Manchak (US Patent 5,156,818), and further in view of any of Gilman, Jr. (US Patent 4,836,963), Formo (U.S. Patent 3,652,368), Lemelson (US Patent 4,043,721) and Payne (U.S. Patent 6,511,619).

On July 21, 2006, Applicant's representative, Michael Kurzer (reg. 57,350) conducted an interview by telephone with the Examiner concerning the amendments put forward in this response. Applicant's representative discussed amending the claims to recite the vacuum connection including an outer vacuum tube having a diameter greater than that of an inner vacuum tube, as shown in Figure 3, and as described at page 8, lines 15-18 of the disclosure. The Examiner concluded that this is a new issue requiring further search and consideration.

By this response, claims 1, 21 and 48 are amended, claims 39, 43, and 47 are cancelled, and claim 49 is added.

Applicant respectfully submits that the examiner's rejections contained in the May 9, 2006 Office Action have been traversed, and therefore, that the present application is in condition for allowance.

2. Amendments to Claims

Claims 1 and 21 have been amended to add "utilizing an inner vacuum tube connected to an outer vacuum tube having a diameter greater than that of said inner vacuum tube." Support for this amendment may be found, for example, on page 8, lines 15 to 18. The limitation, "wherein the interior of said mold is sized to allow for the thickness of a liner to coat an inside surface of said mold" has been removed from claim 1 and rewritten in dependent form in new claim 50.

Claim 48 has also been amended to add "an inner vacuum tube connected to an outer vacuum tube having a diameter greater than that of said inner vacuum tube." Support for this amendment may also be found, for example, on page 8, lines 15 to 18. Applicant has removed from claim 48 "concentric openings and parallel vapor lines from the mold to the exterior of the machine, such that gas may be circulated through the mold" for which Examiner could not find support in the original disclosure.

Claims 39, 43 and 47 have been cancelled.

New dependent claim 49 has been added to incorporate the "liner that coats the inside surface of said mold to make it seamless" previously stated in the now cancelled independent claim 47.

New dependent claim 50 has been added to incorporate the “wherein the interior of said mold is sized to allow for the thickness of a liner to coat an inside surface of said mold” limitation from claim 1.

3. Claim Rejections

a. 35 U.S.C. §112

Claims 39, 43 and 48 were rejected under 35 U.S.C. 112, as failing to comply with the written description requirement. Claims 39 and 43 have been cancelled. Claim 48 has been amended to remove the limitation of “concentric openings and parallel vapor lines from the mold to the exterior of the machine, such that gas may be circulated through the mold” for which Examiner could not find support in the original disclosure. Applicant has also amended claim to add instead “an inner vacuum tube connected to an outer vacuum tube having a diameter greater than that of said inner vacuum tube.” Support for this amendment may be found in the original disclosure, for example, on page 8, lines 16 to 18. Applicant respectfully requests that the Examiner withdraw the rejection of claim 48.

b. 35 U.S.C. § 103

Claims 1, 2, 4 and 40-42 were rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 in view of any one of Payne (US Patent 5,316,701), Pitavy (US Patent 4,764,322), Lemelson (US Patent 4,285,903), or Manchak (US Patent 5,156,818). Applicant respectfully submits that claim 1, as presently amended, overcomes the Examiner’s rejection under 35 U.S.C. § 103(a) based on the ‘785 patent in view of Payne, Pitavy, Lemelson, or Manchak.

The Examiner stated that the '785 Patent "discloses a rotational molding system substantially as claimed, comprising a multi-axis rotational molding machine mounting a two-part mold, each mold part having a hemispherical cavity shape.... the interior of the mold inherently being 'sized to allow for the thickness of a liner.'" Applicant respectfully urges the Examiner that neither the '785 patent, nor any other cited prior art discloses or suggests utilizing an inner vacuum tube connected to an outer vacuum tube having a diameter greater than that of said inner vacuum tube. Applicant submits that in light of this amendment, the Examiner has failed to cite a combination of prior art which discloses each and every claim limitation, which thus renders the present rejection an impermissible "obvious to try" rejection (M.P.E.P. §§ 2143.03, 2144, 2145 X.B.).

Claims 21 and 44-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over British Patent Specification 1,271,785 in view of any one of Payne (US Patent 5,316,701), Pitavy (US Patent 4,764,322), Lemelson (US Patent 4,285,903), or Manchak (US Patent 5,156,818), and further in view of any of Gilman, Jr. (US Patent 4,836,963), Formo (U.S. Patent 3,652,368), Lemelson (US Patent 4,043,721) and Payne (U.S. Patent 6,511,619).

Applicant submits that the present rejections of claims 21 and 44-46 fail to meet the Examiner's burden of producing a case of *prima facie* obviousness (*Id.*, §§ 2142, 2143). Applicant respectfully urges the Examiner that neither the '785 patent, nor any other cited prior art discloses or suggests utilizing an inner vacuum tube connected to an outer vacuum tube having a diameter greater than that of said inner vacuum tube. Applicant respectfully requests that the Examiner withdraw the rejection of claim 21.

Since the '785 patent, or other combination of prior art, fails to teach or suggest each and every claim limitation expressly recited by claims 1 and 21, it also cannot render

unpatentable the inventions recited by those claims that depend from claims 1 and 21.

Therefore, claims 2, 4, 40, 41, and 42, all of which depend from claim 1, and claims 44, 45, and 46, all of which depend from claim 21 are not unpatentable over the '785 patent in view of the other prior art. Applicant respectfully requests that the Examiner withdraw the rejection of claims 2, 4, 40-42, and 44-46.

CONCLUSION

It is respectfully submitted that the present application as amended is in condition for allowance and prompt notification thereof is requested. If the prosecution of this application can be advanced by a telephone conference, the Examiner is requested to call the undersigned at (212) 530-5363.

Respectfully submitted,

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